

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 4362-3	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/PEA/416)	
International application No. PCT/IL 03/00476	International filing date (day/month/year) 04.06.2003	Priority date (day/month/year) 05.06.2002
International Patent Classification (IPC) or both national classification and IPC B29C65/00		
Applicant NOVA-TEK TECHNOLOGIES, LTD. et al.		

<ol style="list-style-type: none"> This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36. This REPORT consists of a total of 6 sheets, including this cover sheet. <p><input checked="" type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).</p> <p>These annexes consist of a total of 3 sheets.</p> This report contains indications relating to the following items: <ul style="list-style-type: none"> I <input checked="" type="checkbox"/> Basis of the opinion II <input type="checkbox"/> Priority III <input checked="" type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability IV <input type="checkbox"/> Lack of unity of invention V <input checked="" type="checkbox"/> Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement VI <input type="checkbox"/> Certain documents cited VII <input type="checkbox"/> Certain defects in the international application VIII <input type="checkbox"/> Certain observations on the international application

Date of submission of the demand 05.01.2004	Date of completion of this report 24.09.2004
Name and mailing address of the International preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Balz, O Telephone No. +49 89 2399-7218
	

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No. PCT/IL 03/00476

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-9 as originally filed

Claims, Numbers

2-11 as originally filed
1 filed with telefax on 15.09.2004

Drawings, Sheets

1/5-4/5 as originally filed
5/5 filed with telefax on 15.09.2004

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- the language of publication of the international application (under Rule 48.3(b)).
- the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- contained in the international application in written form.
- filed together with the international application in computer readable form.
- furnished subsequently to this Authority in written form.
- furnished subsequently to this Authority in computer readable form.
- The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- the description, pages:
- the claims, Nos.:
- the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/IL 03/00476

5. This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).
(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)
6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:
- the entire international application,
- claims Nos. 4-6
because:
- the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):
- the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 4-6 are so unclear that no meaningful opinion could be formed (*specify*):
see separate sheet
- the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.
- no international search report has been established for the said claims Nos.
2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:
- the written form has not been furnished or does not comply with the Standard.
- the computer readable form has not been furnished or does not comply with the Standard.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-3,7-13
	No: Claims	
Inventive step (IS)	Yes: Claims	1-3, 7-13
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-3, 7-13
	No: Claims	

2. Citations and explanations

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/IL 03/00476

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IL 03/00476

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following documents:
D1: US-B-6 209 2861 (PERKINS ANDREW ET AL) 3 April 2001 (2001-04-03)
D2: FR-A-1 392 961 (SUROY JULES LEON) 19 March 1965 (1965-03-19)
D3: US-A-4 096 306 (LARSON CURTIS L) 20 June 1978 (1978-06-20)
D4: DE 38 01 041 A (BECKER ROLF) 27 July 1989 (1989-07-27)
D5: WO 02/18211 A (ELIACHAR ELIAHU ;LILACH NIR (IL); RAPA RETAIL AIR PILLOW APPLIAN () 7 March 2002 (2002-03-07)
2. The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, and shows (the references in parentheses applying to this document): an inflatable cellular cushioning material (210) having an air inlet path (218) to be inflated by an inflating device through use of an air inlet pipe, the inflatable cushioning material comprising at least two layers of plastic prewelded (see column 9, line 46-48) in such a manner as to form a substantially diagonally oriented lines forming sleeves (216) along the longitudinal axis of the inflatable cellular cushioning material and substantially longitudinal welded lines (see fig. 9) along the path of the air inlet pipe, the longitudinal welded lines have non-welded longitudinal line areas to allow for inflating of the sleeves whereby the longitudinal welded lines substantially reduce the non-inflated areas along the path of air inlet pipe.
The subject-matter of claim 1 differs from this known cellular cushioning material in that the pre-welded diagonally oriented lines are spaced such as to allow the formation of multiple cells upon applying horizontal weld at predetermined intervals. This was interpreted that the cells are formed **between** two diagonally oriented lines.
The subject-matter of claim 1 is therefore new (Article 33(2) PCT).
3. The problem to be solved by the present invention may be regarded as speeding up the manufacturing process for inflatable cellular cushioning material by forming multiple cells while applying a single horizontal weld. This solution is neither disclosed nor rendered obvious by the prior art and therefore considered as involving an inventive step (Article 33(3) PCT).

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IL 03/00476

4. Claims 2,3, 7-13 are dependent on claim 1 and as such also meet the requirements of the PCT with respect to novelty and inventive step.
5. Some features of the product claims 4-6 (e.g. 'using L shaped plastic sealing bars') relate to a method of manufacturing of the product rather than clearly defining the product in terms of its technical features. The intended limitations are therefore not clear from these claims, contrary to the requirements of Article 6 PCT.

CLAIMS

I/We claim:

1. An inflatable cellular cushioning material having an air inlet pipe path (316) to be inflated by an inflating device through the use of an air inlet pipe, the inflatable cushioning material comprising at least two layers of plastic pre-welded in such a manner so as to form a substantially diagonally oriented lines forming sleeves (302, 304) along the longitudinal axis of the inflatable cellular cushioning material, and a substantially longitudinal welded lines (308, 310) along the path of the air inlet pipe, the longitudinal welded lines have non-welded longitudinal line areas (314) to allow for the inflating of the sleeves, whereby the longitudinal welded lines substantially reduce the non-inflated areas along the path of the air inlet pipe,
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characterized by that the pre-welded diagonally oriented lines are spaced such as to allow the formation of multiple cells upon applying horizontal weld at predetermined intervals.
2. The inflatable cellular cushioning material of claim 1 wherein the longitudinal welded lines are pre-welded before the plastic sheet is inflated by the inflating device.
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3. The inflatable cellular cushioning material of claim 1 wherein the longitudinal welded lines are welded after the sleeves have been inflated.
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4. The inflatable cellular cushioning material of claims 2 or 3, wherein the longitudinal welded lines are welded using an L shaped plastic sealing bars having a longitudinal and a horizontal arms weld.
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5. The inflatable cellular cushioning material of claim 4 wherein the horizontal arm is having the length of the distance between a first and a second longitudinal welding performed by the L shaped plastic sealing.

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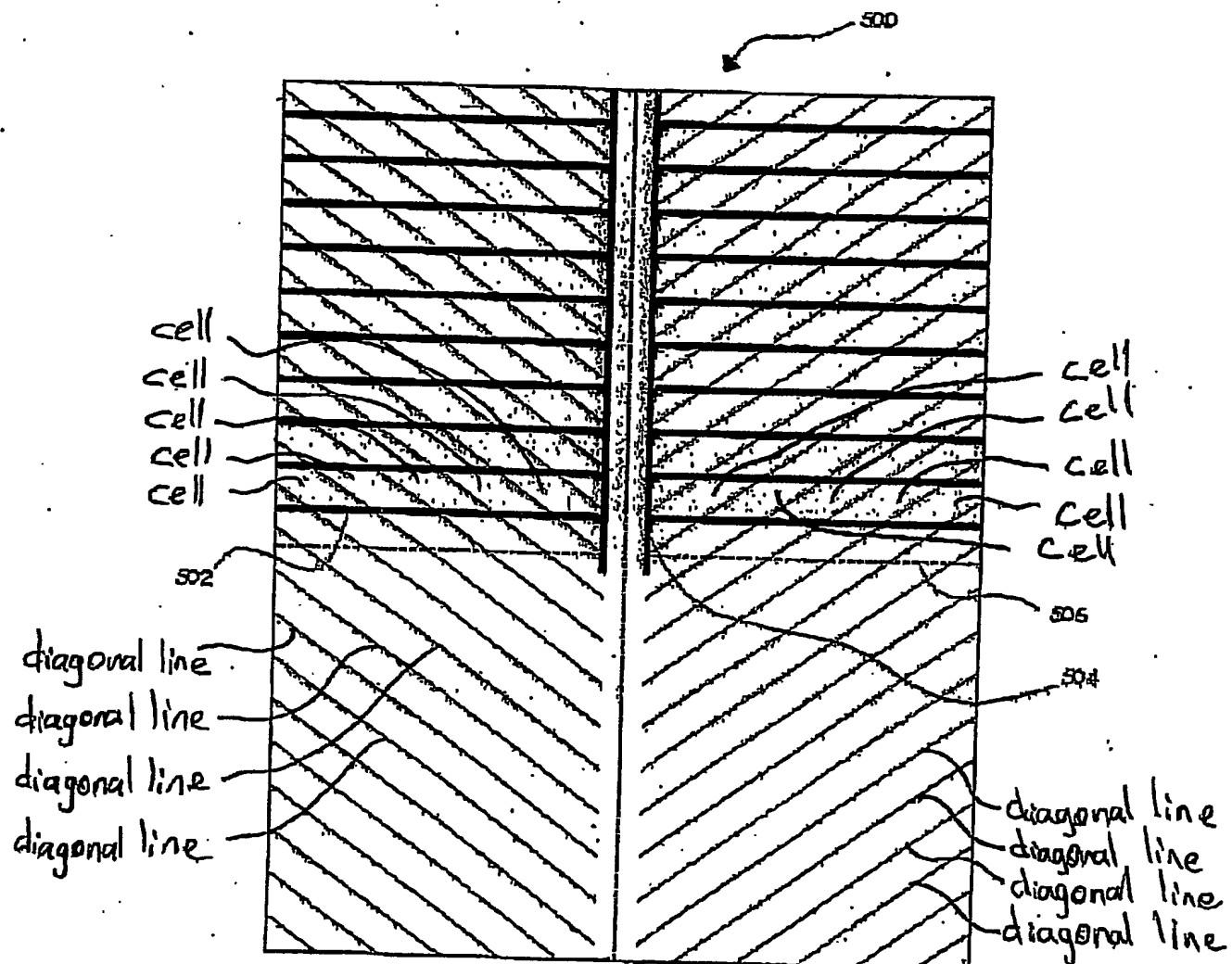


FIG.5

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